

Application S/N 10/608,322
Amendment Dated: August 9, 2006
Response to Office Action dated: March 23, 2006

CE11124JI220

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REMARKS/ARGUMENTS

Claims 1-9 are pending in the application. Claims 10-14 have been canceled without prejudice, as Applicants reaffirm the election of claims 1-9 in response to the restriction requirement. In the Office Action, claims 1-6 and 9 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,700,086 to Serizawa, et al. (Serizawa). Also, claims 7 and 8 were rejected under 35 U.S.C. 103(a) as being unpatentable over Serizawa in view of U.S. Patent No. 7,003,279 to Nickum (Nickum).

Independent claim 1 recites the feature that the flexible cover and the flexible sheet are in a first position when undisturbed and a second position when being manipulated for incorporation into the mobile communications unit in which the flexible sheet at least partially directs the flexible cover to return to the first position after the flexible cover and the flexible sheet are manipulated into the second position. Further, dependent claim 2 was amended to clarify that the extensions extending away from the flexible cover detachably engage corresponding slots mounted on the mobile communications unit when the flexible cover is in the first position. Support for the amendment can be found in FIG. 8 and on page 13, line 18 to page 14, line 5. No new matter has been added.

Such structure is not shown in Serizawa or any other cited prior art reference. In particular, the poly-dome switch (60) of Serizawa is placed in the recess portion (61) without the switch being manipulated from a first position to a second position and then returning to the first position. Serizawa never describes such a feature and in fact, the use of the adhesive sheet (60d) compels the switch to be kept in a first orientation at all times when being placed in the recess portion. That is, the adhesive sheet, once any

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part of it is adhered to the recess portion, prevents the switch from moving into any other orientation. Moreover, this design makes it difficult to replace the switch, as opposed to the claimed subject matter, which freely enables a user to remove the user interface.

Referring to claim 2, Serizawa does not describe extensions of a flexible cover detachably engaging corresponding slots mounted on a mobile communications unit. Serizawa does show an external connector (33) that is coupled to a connection portion (64). This connector, however, is a single connector and is geared towards providing an electrical connection, not stabilizing the switch, as contemplated by the claimed subject matter. Such stabilizing extensions are unnecessary in Serizawa, given that the switch is secured to the recess portion through the adhesive sheet.

As such, Applicants submit that independent claim 1 is patentable over the prior art. Applicants also believe that those claims that depend from independent claim 1, both based on their dependencies on the independent claims and their patentability on their own. Reconsideration and withdrawal of the rejection of the claims is respectfully requested. Passing of this case is now believed to be in order, and a Notice of Allowance is earnestly solicited.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicants' attorney or agent at the number

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indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

The Commissioner is hereby authorized to charge any necessary fee, or credit any overpayment, to Motorola, Inc. Deposit Account No. 50-2117.

Respectfully submitted,

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